

**Your rights are important.  
In accordance with your rights:**

- **You may attend an ACT Program of your choice, as long as the program is approved by the Montana Department of Public Health and Human Services.**
- **If treatment is recommended, you may attend a treatment program of your choice, as long as a licensed addiction counselor provides treatment services. Treatment must be appropriate to the level of care recommended by the ACT program and ordered by the court.**
- **You may choose the licensed addiction counselor for treatment that is required.**
- **If treatment has been recommended and you do not agree with that assessment, you may, at your own expense, obtain a second chemical dependency assessment.**
- **If you disagree with the ACT program recommendations for treatment, you have the right to a hearing before the Judge who sentenced you.**

## **OBTAINING A RESTRICTED PROBATIONARY LICENSE AFTER CONVICTION FOR DUI**

### *First Offense:*

Offenders must have the approval of the court, be enrolled in ACT, have a valid Montana driver's license, and pay a \$200.00 reinstatement fee.

### *Second or Subsequent Offense:*

The offender's driver's license is suspended for 1 year and no probationary license may be issued during the period of suspension.

### *Commercial Driver's License*

No probationary license may be issued that permits operation of a commercial motor vehicle.

**Driving While License is Suspended or Revoked is against the law.**

### *Consider the penalties:*

- **Imprisonment for at least 2 days and up to 6 months;**
- **A fine of as much as \$500;**
- **An additional year added on to the required period of driver's license suspension or revocation;**
- **6 Conviction Points added to your Montana Motor Vehicle Record.**



# **What You Need to Know About ACT**

**ACT . . .**

**A PROGRAM TO HELP THOSE  
CONVICTED OF DUI**

**If you are convicted of DUI  
(driving under the influence)  
or BAC (blood alcohol  
concentration or “per se”),  
the law requires that you  
enroll in an ACT program in  
Montana.**

**What is ACT?**

**It is an abbreviation for a process  
required by Montana law.**

**A=Assessment: an evaluation  
process used to determine  
whether or not you have a drug  
or alcohol problem.**

**C=Course: you must attend 4 or  
5 two-hour education sessions on  
how alcohol and drugs affect our  
driving, your body and your life.**

**T=Treatment: will be  
recommended if you are found to  
be chemically dependent on  
alcohol or drugs. Treatment is  
required if you are a repeat DUI  
offender. A repeat offender may  
choose their certified chemical  
dependency counselor for  
treatment.**

**FAILURE TO COMPLETE THE  
REQUIREMENTS OF THE ACT  
PROGRAM will be reported to  
the Judge who may reinstate  
the suspension of your jail  
time and fine.**

**It will also be reported to the  
Montana Motor Vehicle  
Division and your driver’s  
license suspension will be  
reinstated.**

- **Your probationary license, if any,  
will be taken.**
- **You may have to pay your total  
fine or serve all of the jail  
portion of your sentence.**

**What should you do now in  
order to comply with the  
law?**

- 1. Select the ACT  
program of your choice  
(the court will have a  
list of programs). The  
court will then refer  
you to an ACT program  
and notify them that  
you will be enrolling.**
- 2. Enroll in the ACT  
program on or before  
the date set by the  
court.**

**You are responsible for:**

- **Paying for the ACT  
program (costs are  
different with each  
program)**
- **Not using alcohol or  
other drugs before or  
during all sessions you  
attend**
- **Attending all sessions**
- **Being on time for each  
session**
- **Making your own travel  
arrangements (it is  
legal to use a  
probationary license to  
drive to the ACT  
program)**
- **Keeping the ACT  
program and the court  
informed of your  
current address and  
how to reach you**
- **Following all rules of  
the local ACT program**

**Thank you Helena City Court for the  
development of this brochure.**